

STATE OF INDIANA)
)
COUNTY OF MADISON)

IN THE MADISON SUPERIOR COURT, DIV. I
CAUSE NO. 48D01-0505-PL-00430

STATE OF INDIANA,)
)
Plaintiff,)
)
v.)
)
GABRIEL M. GOUVAS a/k/a Gabe)
Gouvas, individually and d/b/a Spectrum)
Services and Digital Communications,)
)
Defendant.)

AUG 22 2005

JUDGMENT

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Marguerite M. Sweeney, filed its Motion for Summary Judgment against the Defendant, Gabriel M. Gouvas, a/k/a Gabe Gouvas, individually and d/b/a Spectrum Services and Digital Communications. The Court, being duly advised, now finds:

1. The Court has subject matter jurisdiction over this matter and personal jurisdiction over defendant, Gabriel M. Gouvas.
2. Defendant Gouvas was served with notice of these proceedings.
3. On August 22, 2005, the State of Indiana, by counsel, appeared before this Court on Plaintiff's Motion for Summary Judgment. Defendant Gouvas appeared, *pro se*.
4. Upon review of the evidentiary material designated by the plaintiff in its Motion for Summary Judgment and supporting brief, and supplemental designation and brief, and in light of Defendant Gouvas' failure to designate any evidence in response to Plaintiff's designation, there are no genuine issues of material fact with respect to the claims brought by the State against

Defendant Gouvas in its Verified Complaint for Injunction, Civil Penalties, Reasonable Attorneys Fees and Costs, filed May 18, 2005.

5. The designated evidentiary materials establish that Defendant Gouvas committed seventy-one (71) separate violations of Ind. Code §24-4.7-4-1.

6. There being no just reason for delay, the State is entitled to final judgment on all its claims as a matter of law.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Summary Judgment against the Defendant is granted.

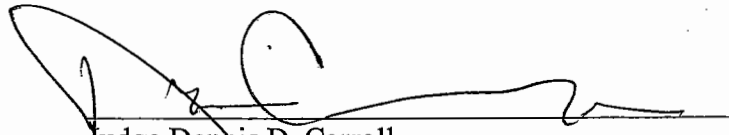
2. Defendant Gouvas, his agents and employees, are hereby permanently enjoined from making, causing to be made, or permitting to be made Telephone Sales Calls to telephone numbers on the Listing (defined by Ind. Code §24-4.7-2-7), except as permitted by Ind. Code §24-4.7-1-1.

3. Defendant shall be subject to the penalties provided in Ind. Code §24-4.7-5-2(2) for violation of this injunction. Each telephone sales call (defined by Ind. Code §24-4.7-2-9) made by or on behalf of Defendant in violation of this injunction will be considered a separate violation.

4. Defendant shall pay to the Office of the Attorney General's Consumer Protection Division Telephone Solicitation Fund a civil penalty in the amount of \$ 100,000⁰⁰. Further, Defendant shall reimburse the Office of the Attorney General for its reasonable attorneys fees incurred in the prosecution of this action, pursuant to Ind. Code §24-4.7-5-2(4), in the amount of \$ 2094⁰⁰.

5. The Court shall retain jurisdiction for the purpose of issuing such orders as may be necessary to interpret or enforce the provisions herein.

ORDERED this 22 day of August, 2005.



Judge Dennis D. Carroll
Madison Superior Court No. 1

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